



Luann G. Welmer, Clerk-Treasurer

**CITY COUNCIL MEETING
CITY HALL
TUESDAY, FEBRUARY 4, 2014
6:00 O'CLOCK P.M.**

I. Meeting Called to Order

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Roll Call
- D. Acceptance of Minutes

II. Unfinished Business Requiring Council Action

- A. Second Reading of an Ordinance entitled "ORDINANCE NO.____, 2014, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "RS2" (RESIDENTIAL: SINGLE FAMILY) TO "RTc" (RESIDENTIAL: TWO-FAMILY WITH COMMITMENTS)." (SKAGGS DEVELOPMENT / WOODLAND PARKS REZONING). Jeff Bergman
- B. Second Reading of an Ordinance entitled "ORDINANCE NO.____, 2014, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO AMEND CHAPTER 10.48 OF THE COLUMBUS CITY CODE, ABANDONED VEHICLES." Jeff Logston
- C. Second Reading of an Ordinance entitled "ORDINANCE NO.____, 2014, AN ORDINANCE FIXING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE CITY OF COLUMBUS, INDIANA FOR CALENDAR YEAR 2014." Jeff Logston
- D. Public Hearing and Second Reading of an Ordinance entitled "ORDINANCE NO.____, 2014, AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2014." Matt Caldwell and Bryan Burton

- E. Second Reading of an Ordinance entitled “ORDINANCE NO.____, 2014, AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS BETWEEN DEPARTMENTS FOR THE BUDGET YEAR 2014.” Matt Caldwell

III. New Business Requiring Council Action

- A. Public Hearing and First Reading of an Ordinance entitled “ORDINANCE NO.____, 2014, AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2014.” Matt Caldwell and Deputy Chief Bates
- B. First Reading of an Ordinance entitled “ORDINANCE NO.____, 2014, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO ADOPT CHAPTER 9.32 OF THE COLUMBUS CITY CODE, PAWNBROKERS, JEWELERS, VALUABLE METAL DEALERS AND SECONDHAND DEALERS.” Chief Maddix and Captain Rohde
- C. First Reading of an Ordinance entitled “ORDINANCE NO.____, 2014, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO AMEND CHAPTER 2.14 OF THE COLUMBUS CITY CODE, ANIMAL CARE SERVICES MANAGER.” Chief Maddix and Deputy Chief Harry

IV. Other Business

- A. Standing Committee and Liaison Reports
- B. Discussion Items:
 - 1) Marc Nehring with Waste Servant
- C. Next regular meeting is scheduled for **Tuesday, February 18, 2014 at 6:00 P.M. in City Hall.**
- D. Adjournment



MEMORANDUM

TO: Columbus City Council Members

FROM: Jeff Bergman, AICP
on behalf of the Columbus Plan Commission

DATE: December 20, 2013

RE: RZ-13-07 (*Skaggs Development / Woodland Parks Rezoning*)

At its December 11, 2013 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 9 in favor and 0 opposed.

Skaggs Development proposes to rezone 26 lots in Woodland Parks subdivision to allow for single-family attached homes (those that share a common wall with a home on the adjacent lot). These structures would have the appearance of a duplex. Woodland Parks is located on the west side of US 31, north of County Road 400 North). The proposed change would not result in any additional homes in the development. It would have the effect of reducing the side yard setback on one side of each of the effected lots from a minimum of 5 feet to zero, so that the attached dwellings could be constructed. Attached to this memo are drawings provided by the applicant showing the proposed homes to be constructed on these lots and their arrangement on the property.

There are several existing homes on the other lots in Woodland Parks, although many lots currently remain vacant. One of these neighboring property owners wrote a letter to the Plan Commission expressing concerns about the effects of the rezoning on property values in the subdivision. Another neighbor spoke at the Plan Commission meeting to express general support for the rezoning, but to also note a concern that the "duplex" style homes may encourage an increased number of rentals in the neighborhood. The Plan Commission noted that the zoning ordinance does not regulate whether a home is renter or owner occupied and that they did not have jurisdiction over such issues. The applicants indicated to the Plan Commission that they had met with the residents in the subdivision and many of them had expressed support for the rezoning as an effort to encourage additional home construction in the development, which has been slow to build-out.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the rezoning,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the Plan Commission staff report,
4. a location map, and
5. the supporting materials provided by the applicant.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: _____, 2014

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY
FROM "RS2" (RESIDENTIAL: SINGLE-FAMILY)
TO "RTc" (RESIDENTIAL: TWO-FAMILY WITH COMMITMENTS)**

**To be known as the: Skaggs Development / Woodland Parks Rezoning
Plan Commission Case No.: RZ-13-07**

WHEREAS, this rezoning was requested by Skaggs Development LLC and includes the consent of all owners of the subject property; and

WHEREAS, the Columbus Plan Commission did, on December 11, 2013, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Official Zoning Map

The zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed from "RS2" (Residential: Single-family) to "RTc" (Residential: Two-family with commitments):

Lots numbered 29 through 34, 37 through 44, 69 through 74, 76 through 80, and 145 in "Woodland Parks Phase 1B" as recorded in Plat Book "R", Page 94B in the Office of the Recorder of Bartholomew County, Indiana

SECTION 2: Commitment(s) and Condition(s)

The use and development of the subject property shall be subject to the following commitments, which shall run with the land:

1. No more than one dwelling unit shall be built per lot.
2. No additional lots shall be created in the RT-zoned area of Woodland Parks.
3. The setback for any structure located on a lot adjacent to a zoning district other than RT shall be a minimum of 5 feet.

The use and development of the subject property shall also be subject to the following conditions, which must be satisfied:

1. The lots shall be re-platted to modify drainage easements to 15 feet in width on every other lot line in the RT-zoned area prior to the construction of any structure with a side setback of less than 5 feet.
2. Outstanding issues with unfinished public infrastructure in Sections 1A and 1B shall be resolved with the Columbus City Engineers Office prior to any building permits being issued for properties in the RT-zoned area.

RESOLUTION: RZ-13-07

of the City of Columbus, Indiana Plan Commission

regarding

Case number RZ-13-07

(Skaggs Development / Woodland Parks Rezoning),

a proposal to rezone +/-5 acres from

RS2 (Residential: Single-family) to RT (Residential: Two-family)

WHEREAS, the Plan Commission has received the application referenced above from Skaggs Development LLC; and

WHEREAS, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

WHEREAS, the Plan Commission did, on December 11, 2013, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

WHEREAS, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

WHEREAS, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The rezoning of the property subject to the application (approximately 5 acres (26 lots) located along Buckthorn Drive and Woodland Parks Drive in the Woodland Parks subdivision) is forwarded to the Common Council with a favorable recommendation.

That recommendation includes the following commitments:

- a) No more than one dwelling unit shall be built per lot.
- b) No additional lots shall be created in the RT-zoned area of Woodland Parks.
- c) The setback for any structure located on a lot adjacent to a zoning district other than RT shall be a minimum of 5 feet.

The recommendation also includes the following conditions:

- a) The lots shall be re-platted to modify drainage easements to 15 feet in width on every other lot line in the RT-zoned area prior to the construction of any structure with a side setback of less than 5 feet.
 - b) Outstanding issues with unfinished public infrastructure in Sections 1A and 1B shall be resolved with the Columbus City Engineers Office prior to any building permits being issued for properties in the RT-zoned area.
- 2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by IC 36-7-4-605.



STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION (December 11, 2013 Meeting)

Docket No. / Project Title: RZ-13-07 (Skaggs Development)
Staff: Melissa Begley

Applicant: Skaggs Development
Property Size: 5.42 Acres
Current Zoning: RS2 (Residential: Single Family 2)
Proposed Zoning: RT (Residential: Two Family)
Location: 29 lots in Woodland Parks Subdivision on Buckthorn Drive and Woodland Parks Drive, in the City of Columbus

Background Summary:

The applicant has indicated that the proposed rezoning is for the purpose of building two family dwellings (duplexes).

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: Are two family dwellings appropriate in an otherwise single family detached residential development?

Preliminary Staff Recommendation:

Favorable recommendation to the City Council, subject to the following commitments:

1. No more than one dwelling unit shall be built per lot.
2. No additional lots shall be created in the RT-zoned area of Woodland Parks.
3. The setback for any structure located on a lot adjacent to a zoning district other than RT shall be a minimum of 5 feet.

The rezoning is also subject to the following conditions:

1. The lots shall be replatted to modify drainage easements to 15 feet in width on every other lot line.
2. The odd lots that cannot be paired with another to establish a two family dwelling shall be excluded from the rezoning.
3. Outstanding issues with unfinished public infrastructure in Sections 1A and 1B shall be resolved with the Engineering Department.

Plan Commission Options:

In reviewing a request for rezoning the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may attach conditions to any recommendation which are to become written commitments of the applicant. The City Council makes all final decisions regarding rezoning applications.

East:	AP (Agriculture: Preferred)	Large lot residential single-family, New Hope Christian Church
West:	AP (Agriculture: Preferred)	Bol-Mar Subdivision, State of Indiana Rest Stop

Zoning District Summary (Existing / Proposed):		
	Existing Zoning: RS2	Proposed Zoning: RT
Zoning District Intent:	To provide areas for moderate density single-family residences in areas with compatible infrastructure and services.	To provide areas for moderate density single, two, and multi-family residences in areas with compatible infrastructure and services. These residences are most likely arranged as multiple attached units on a single lot or multiple attached units separated by lot lines at a common wall.

Permitted Uses:	<ul style="list-style-type: none"> • Dwelling, single-family • Nature preserve/ conservation area 	<ul style="list-style-type: none"> • Dwelling, single-family • Dwelling, two-family • Nature preserve/ conservation area
Water and Sewer Service:	Required	Required
Lot and/or Density Requirements:	3.5 Dwelling Units per acre	8 Dwelling Units per acre
Minimum Lot Area:	10,000 sq. ft.	Non-residential Use: 5,000 sq. ft. Residential Use: 3,000 sq. ft. per dwelling unit

Interdepartmental Review:	
City Engineering:	<ol style="list-style-type: none"> 1. The lots have to be graded so surface water drains to every other lot line. The remaining easements become more important and probably should become 7.5' on each side, instead of 5' as currently platted, to help preserve the drainage way. If pipes were on the lot lines, which does not appear to be, I would recommend complete removal before rezoning. 2. Phase 1A has not been accepted and the maintenance bonds have expired.
County Highway:	County highway has no issues with this request.
Code Enforcement/ Fire Inspector:	No comments received.

History of this Location:

The relevant history of this property includes the following:

1. On January 7, 2004, the Columbus Plan Commission approved a Preliminary Plat for Woodland Parks (PP-03-03) for a 152 lot residential subdivision.
2. In 2004, a final plat for Section 1A (FP-04-04) was approved for 8 lots
3. In 2005, a final plat for Section 1B (FP-05-02) was approved for 68 lots.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as Residential.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. POLICY A-1-1: Encourage mixing of housing prices in all geographic areas of the city.
2. POLICY A-4-4: Encourage residential clustering and other development types that conserve open space and natural resources and reduce infrastructure costs.
3. POLICY D-2-2: Allow for various housing types.

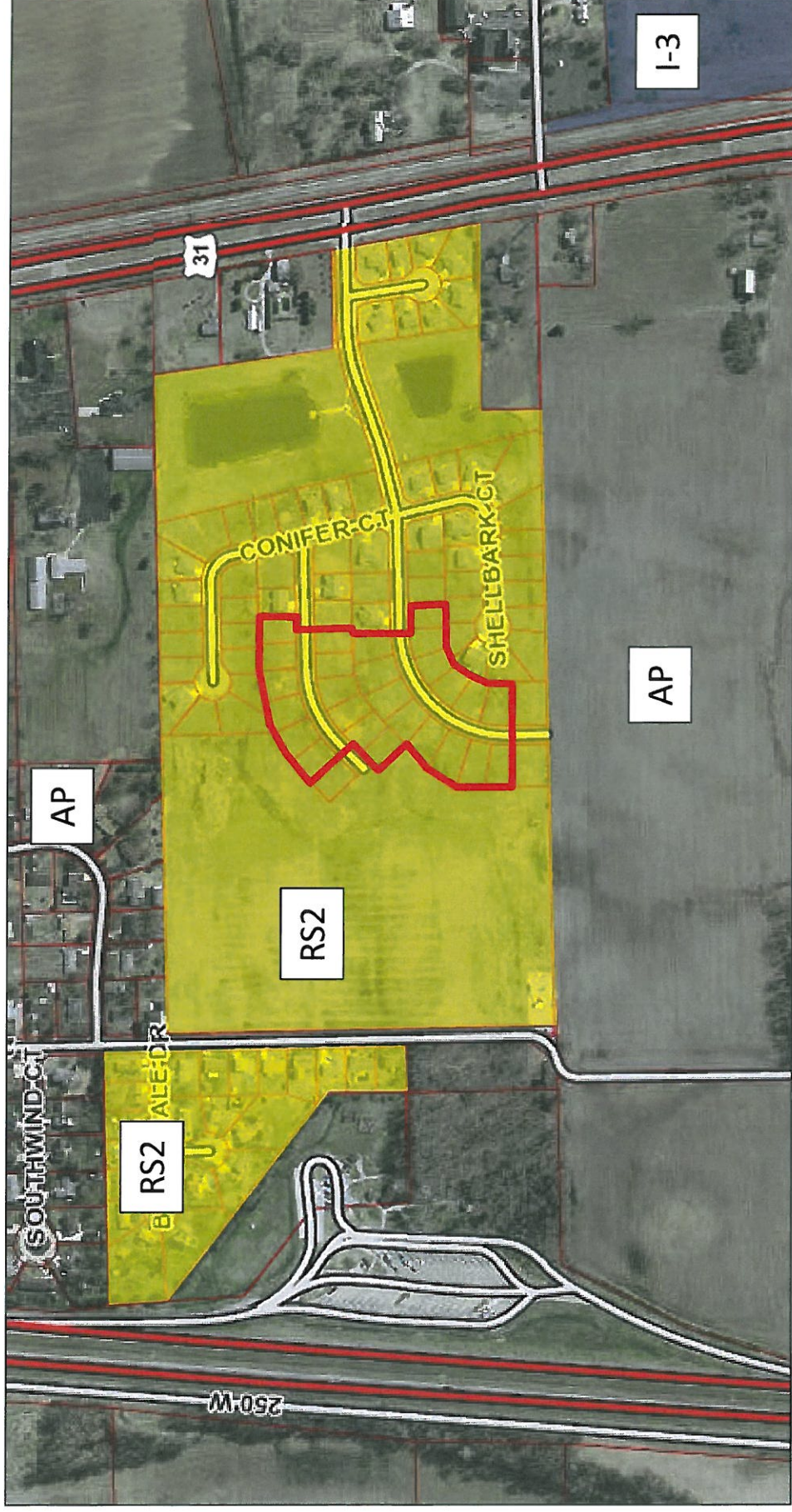
This property is located in the US 31 / Indianapolis Road character area. The following Planning Principle(s) apply to this application: None

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. Woodland Parks Subdivision is a single family residential subdivision approved in early 2004 with 152 planned lots. To date, 75 lots have been platted and 25 homes have been constructed.
2. The Woodland Parks Subdivision has not been annexed into the Columbus City limits and its public infrastructure is maintained by the County, but was built to the City standards. It is served by Driftwood Utilities and Eastern Bartholomew Water Corporation.
3. The applicant is proposing to rezone 29 of the platted lots on the property to RT (Residential: Two Family) in order to build two-family dwelling units separated by a lot line at a common wall. The existing lot lines will not be reconfigured.
4. In the materials submitted by the applicant, there will be 3 individual lots which are a part of the rezoning that do not show a two-family dwelling. The applicant has indicated that a standard single family structure will be built on these lots. Overall, as shown, the proposal will not increase the density for the subdivision.
5. The existing single family residences in the subdivision are all single story dwellings and range in size from 1000 square feet to 1900 square feet of living space. The façade of the single family dwellings are all brick or a combination of brick and vinyl. The applicant has indicated that the proposed two

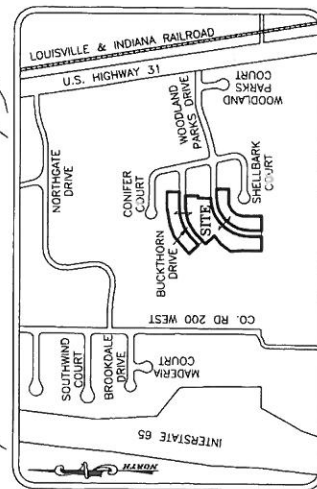
Location and Surrounding Zoning





ZONED AP MARJORIE CLOUSE HULL
(INST. #2003-14852)

ADJONER'S TABLE	
OWNER	DEED/PLAT INFORMATION
SKAGGS DEVELOPMENT LLC	LOTS 18, 19, 21-23, 28, 46, 61-65, 81 WOODLAND PARKS PHASE 1B (P.B. "R", PG. 948)
DEBRA J. ANDERSON	LOT 24 WOODLAND PARKS PHASE 1B (P.B. "R", PG. 948)
LOUELLA BLANKENSHIP	LOT 45 WOODLAND PARKS PHASE 1B (P.B. "R", PG. 948)
RONALD L. RHODES &	LOT 68 WOODLAND PARKS PHASE 1B (P.B. "R", PG. 948)
ALI MARIE MCCAGHERAN	LOT 82 WOODLAND PARKS PHASE 1B (P.B. "R", PG. 948)
THOMAS R. &	
DONNA J. HAYES	



PROPERTY DESCRIPTION
LOTS 29-34, 37-44, 69-74, 76-80 & 145 IN "WOODLAND PARKS PHASE 1B" AS SHOWN ON PLAT #2003-14852, RECORD 948 IN THE OFFICE OF THE RECORDER OF BARTHOLOMEW COUNTY, INDIANA.

CONTAINING 5.42 ACRES, MORE OR LESS
(SECTION 35, TOWNSHIP 10 NORTH, RANGE 5 EAST)

CURRENT ZONING: RS2
PROPOSED ZONING: RT

ZONING MAP
 WOODLAND PARKS PHASE 1B
 SEC. 35, T-10-N, R-5-E
 BARTHOLOMEW COUNTY,
 INDIANA

Independent Land Surveying
 414 South Main Street
 Columbus, IN 47301
 Phone: 812-332-2620
 Fax: 812-332-2625
 Email: info@harrington.com
 Website: www.harrington.com

SHEET: 1/1
 SCALE: 1" = 200'
 DATE: 11/16/13

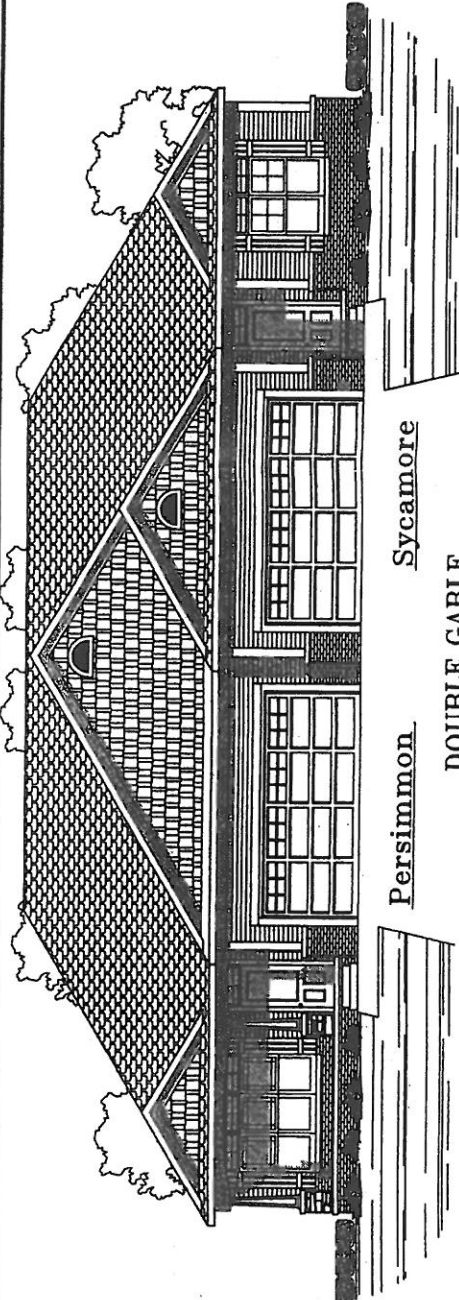
DRAWN BY: MA
 CHECKED BY: MA
 DATE: 11/16/13

JOB # 13208

REAR ELEVATION

LEFT SIDE ELEVATION

RIGHT SIDE ELEVATION

Persimmon

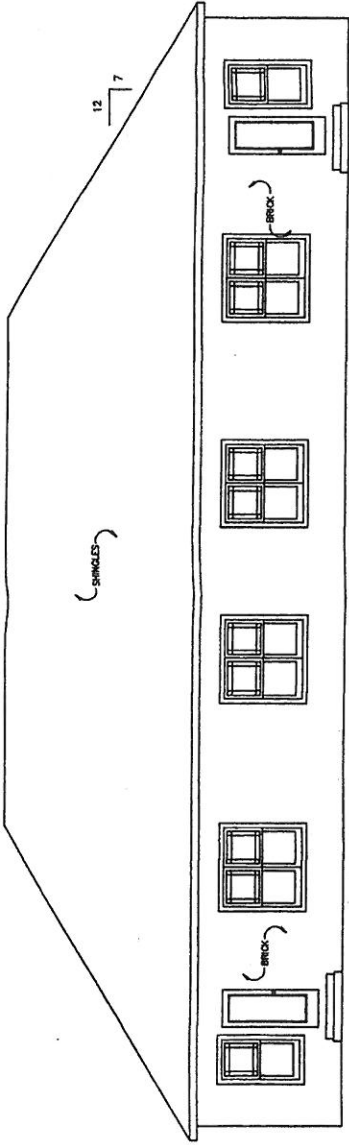
DOUBLE GABLE

NOTES:

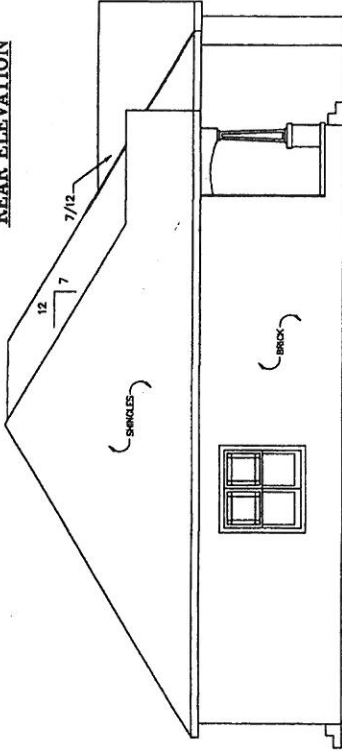
- 1) ALL ROOF PITCHES ARE TO BE 7/12.
2) ALL OVERHANGS ARE TO BE 1'-0" FINISHED.

SYCAMORE 2'-0"

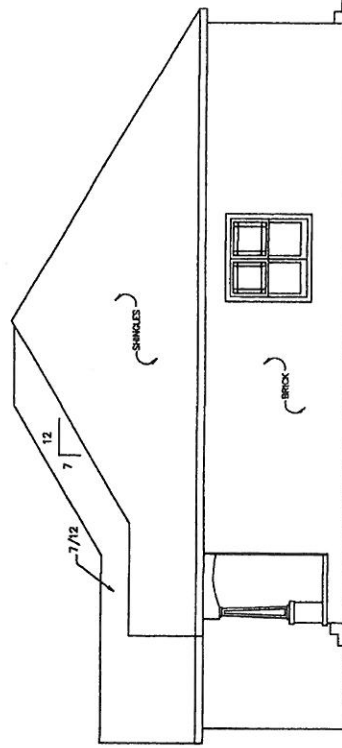
ELEVATIONS	
PRODUCTS	STAGGS BUILDERS
PROJECT NO.	185-2508
DATE	JUN 27/81
BY	DAI
SCALE	1/4"=1'-0"
	PAGE 2 OF 5
DAC COMPUTER AIDED DRAWING AND DESIGN	
PHONE: (812) 379-9313	



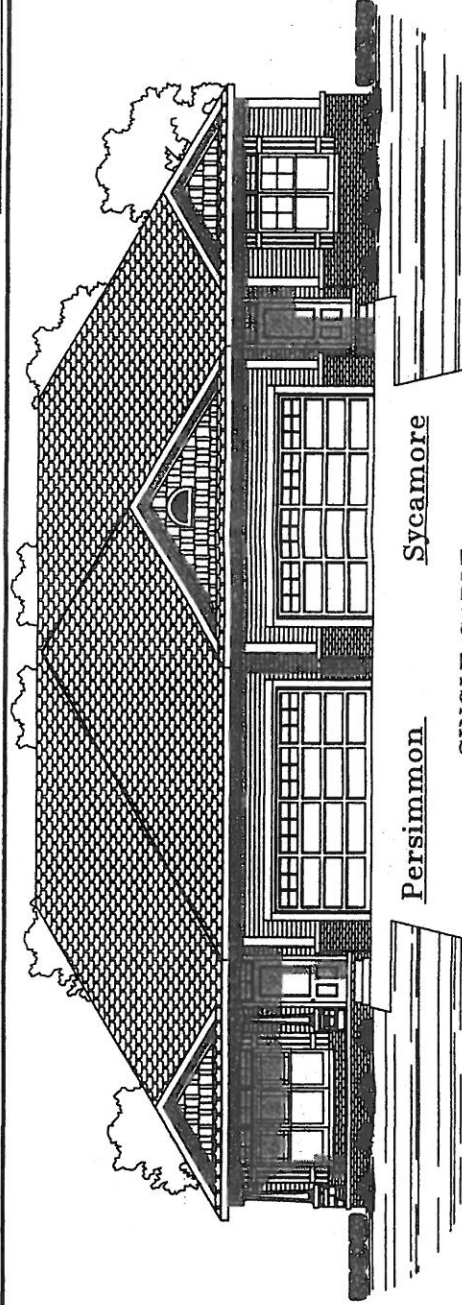
REAR ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



Persimmon Sycamore

SINGLE GABLE

NOTES:

- 1) ALL ROOF PITCHES ARE TO BE 7/12.
- 2) ALL OVERHANGS ARE TO BE 1'-0" FINISHED.

PERSIMMON 2'-0"

ELEVATIONS

DESIGNER	SHAWNEE BUILDERS
DATE	10/15/2023
SCALE	1/4" = 1'-0"
PROJECT	COMPUTER TOWN
LOCATION	BRADY ROAD, WYOMING
PHONE	(612) 579-4313

ORDINANCE NO. _____, 2014

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA,
TO AMEND CHAPTER 10.48 OF THE COLUMBUS CITY CODE, ABANDONED VEHICLES**

WHEREAS, Indiana Code 36-1-3 et. seq. confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government;

WHEREAS, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

WHEREAS, it is the desire of the Common Council to appropriately regulate abandoned, inoperable, and unlicensed vehicles operations within the City of Columbus.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, AS FOLLOWS:

Section I. Chapter 10, Section 48 of the Columbus City Code, is hereby amended to read as follows:

Chapter 10.48 – Abandoned, Unlicensed, and Inoperable Vehicles

10.48.001 Purpose.

The purpose of this chapter is to monitor, control, or prohibit the keeping of motor vehicles 1) which are abandoned, 2) without current license plates and 3) which are in an inoperable condition, on private or public property and to provide penalties and violations thereof.

10.48.010 Declared a public nuisance.

The common council finds that abandoned,, unlicensed and inoperable vehicles are a public nuisance and a safety and health hazard to the citizens of the city.

10.48.020 Exemptions.

This chapter does not apply to:

- A. A vehicle in operable condition specifically adopted or constructed for operation on privately owned raceways;
- B. A vehicle stored as the property of a member of the armed forces of the United States who is on active duty assignment;

- C. A vehicle located on a vehicle sale lot or at a commercial vehicle servicing facility;
- D. A vehicle located upon property being properly used as a vehicle repair business.
- E. A vehicle located upon property licensed or zoned as an automobile scrapyard; or
- F. A vehicle registered and licensed under Indiana Code 9-22-1 as an antique vehicle.

10.48.030 Definitions.

As used in this chapter, the following terms have the following definitions unless otherwise designated:

"Abandoned vehicle" means:

1. A vehicle located on public property illegally;
2. A vehicle located on public property continuously without being moved for three days, but the timeframe shall be extended to thirty days for a properly licensed vehicle located on public property in front of the legal or temporary residence of the owner of said vehicle;
3. A vehicle located on public property in such a manner as to constitute a hazard or obstruction to the movement of pedestrian or vehicle traffic on a public right-of-way;
4. A vehicle from which there has been removed the engine, transmission or differential or that is otherwise partially dismantled or inoperable and left on public property; or
5. A vehicle that has been removed by a towing service or a public agency upon request of an officer enforcing a statute or ordinance other than this chapter, if the vehicle once impounded is not claimed or redeemed by the owner or his agent within fifteen days of its removal.

"Automobile scrapyard" means a business organized for the purpose of scrap metal processing, automobile wrecking or operating a junkyard.

"Board" refers to the board of public works and safety of the city.

"Bureau" refers to the Indiana Bureau of Motor Vehicles.

"Enforcement Officer" means a code enforcement officer of the city.

"Inoperable vehicle" means a motor vehicle from which there has been removed the engine, transmission or differential, or that is otherwise partially dismantled or mechanically inoperable.

"Lienholder" refers to a person holding a valid lien, mortgage, security interest or interest under a conditional sales contract, or a person noted as a lienholder according to the records of the bureau.

"Officer" means:

1. A regular member of the police department;

2. An individual of an agency other than the police department designated by the board to enforce this chapter.

"Owner" means the last known record titleholder of a vehicle according to the records of the bureau under Indiana Code 9-22-1 *et seq.*

"Parts" refers to all components of a vehicle that as assembled do not constitute a complete vehicle.

"Person" means individual, firm, corporation, association, fiduciary or governmental entity.

"Private property" means all property other than public property.

"Public property" means a public right-of-way, street, highway, alley, part or other state, county or municipal property.

"Towing service" means a business that engages in moving or removing disabled vehicles and, once removed, to store or impound vehicles.

"Unlicensed vehicle" means a vehicle which does not have a current license plate or is improperly registered.

"Vehicle" refers to any land vehicle which can be used for towing or transporting people or materials including, but not limited to, an automobile, motorcycle, truck, trailer, semitrailer, tractor, bus, school bus, recreational vehicle or motor home.

10.48.040 Liability of owner.

The owner of an abandoned, unlicensed or inoperable vehicle is responsible for the current condition and is liable, to the extent of the fair market value of the vehicle, for all of the costs incidental to the removal, storage and disposal of the vehicle or the parts.

10.48.050 Declaration of abandonment--Release to owner or lienholder upon payment of costs--Disposal.

A. When an officer discovers a vehicle in the possession of a person other than the owner and the person cannot establish his right to the possession of that vehicle, the vehicle shall be taken to and stored in a suitable place. The bureau shall be notified within seventy-two hours of the location and description of the vehicle. Upon receipt of notification, the bureau shall cause a search to be made to determine and notify the owner in accordance with Indiana Code 9-22-1.

B. If the owner of the vehicle cannot be determined, the bureau shall declare the vehicle abandoned and provide for its disposal in accordance with Indiana Code 9-22-1.

C. If the properly identified owner or lienholder appears at the site of storage before disposal of the vehicle and pays all proper costs incurred against the vehicle at that time, then the vehicle shall be released. A copy of the release of all vehicles shall be sent to the bureau. The release must contain the owner or lienholder's signature, name, address, vehicle or parts description, costs and date of release.

D. If the vehicle is not released to the owner or lienholder, the bureau shall declare the vehicle abandoned and provide for disposal in accordance with Indiana Code 9-22-1.

10.48.060 Abandoned vehicles--Notice tags--Report.

A. An officer who finds a vehicle or parts believed to be an abandoned vehicle as defined in this Chapter shall attach in a prominent place a notice tag containing the following information:

1. The date, time, officer's name, and address and telephone number of the police department;
2. That the vehicle or parts are considered abandoned;
3. That the vehicle or parts will be removed after seventy-two hours;
4. That the owner will be held responsible for all costs incidental to the removal, storage and disposal, and if not paid, the owner's registration privileges, including but not limited to the seizure of the license plate for that vehicle, will be suspended on that vehicle;
5. That the owner may avoid costs by removal of the vehicle or parts within seventy-two hours.

B. If the tagged vehicle is not removed within that seventy-two hour period, the officer shall prepare a written abandoned vehicle report on the vehicle on the bureau's form 322B.

C. After seventy-two hours, the officer shall require the vehicle to be towed to a storage area.

10.48.070 Stored vehicles.

Within seventy-two hours after removal of an abandoned vehicle to a storage area under Section 10.48.060, the police department shall prepare and forward to the bureau an abandoned vehicle report containing a description of the vehicle, including the make, model and manufacturer's identification number, the color and style of said vehicle, and the number of the license plate, and request that the bureau advise the police department of the name and most recent mailing address of the owner and any lienholder. The police department shall then advise the owner or lienholder that all costs incurred in removing and storing the vehicle or parts are his/her legal responsibility.

10.48.080 Stored vehicles--Disposition and sale.

Disposition and sale of stored vehicles shall be conducted by the bureau pursuant to Indiana Code 9-22-1.

10.48.090 Vehicles left on private property considered to be abandoned--Complaints.

Upon complaint of a private property owner or person occupying the property that a vehicle has been left on the property they own or occupy for forty-eight hours or more without the consent of the owner or person occupying the property, an officer shall follow the procedures set forth in Section 10.48.060.

10.48.095 Unlicensed and Inoperable Vehicles Prohibited

A. It is a violation of this chapter for any person to keep, park or store any unlicensed or inoperable vehicles or parts thereof on private or public property exposed to public view except in a legally conforming garage, carport or other enclosure.

B. After investigation by the Enforcement Officer or a police officer and a finding of a violation of this chapter, the Enforcement Officer or police officer is authorized to issue a warning or written demand to the owner of the vehicle or person occupying the premises on which any unlicensed or inoperable vehicle(s) in violation of this chapter is/are kept. The warning or written demand shall notify the person to remove the vehicle(s) from the premises within 30 days from the receipt of the notice or to correct the issue rendering the vehicle unlicensed or inoperable. Upon the failure or refusal of the person to remove the vehicle(s) or correct the issue within the time period specified, a citation will then be issued requiring the individual to remove the vehicle(s) or correct the issue within ten days or be subject to further penalties as provided herein. In the event the vehicle(s) is not removed or the issues corrected within the ten-day period, a court of competent jurisdiction may order that the vehicle(s) be removed and assess the cost of the removal and storage to the person owning the vehicle or person occupying the property. In the event any vehicle(s) is removed and stored and in the event that the vehicle(s) is not claimed by the owner of the vehicle from the storage location within 15 days from its removal by paying the actual cost of the removal and storage, the vehicle may be sold and disposed of as provided in Indiana Code 9-22-1. The responsibility and liability of the vehicle's owner shall be that as set forth in Indiana Code 9-22-1.

10.48.100 Liability for loss or damage during removal, storage or disposition.

Neither the owner, lessee or occupant of the property from which an abandoned vehicle is removed nor the police department, is liable for loss or damage to the vehicle or contents of an abandoned vehicle occurring during its removal, storage or disposition.

The police department is not liable for loss or damage to the vehicle or contents of an unlicensed or inoperable vehicle occurring during its removal, storage or disposition.

10.48.110 Charges.

The amount that may be charged for an authorized towing service and storage of a vehicle under this chapter shall be equal to the amount charged to other users of the same or comparable services. The number of storage days shall be calculated from the day the vehicle was towed to the storage facility.

10.48.120 Violation--Penalty.

Whoever violates any provision of this chapter shall be fined not more than two hundred dollars.

Section II. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

Section III. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA,
on this the ____ day of _____, 2014, by a vote of ____ ayes and ____ nays.

Kristen Brown, Mayor
Presiding Officer of the Common Council

ATTEST:

Clerk of the Common Council of Columbus, Indiana
Luann Welmer

Presented by me to the Mayor of Columbus, Indiana, this ____ day of _____, 2014 at ____
o'clock ____m.

Luann Welmer
Clerk-Treasurer

Approved and signed by me this ____ day of _____, 2014 at ____ o'clock ____m.

Kristen Brown
Mayor of the City of Columbus, Indiana

ORDINANCE NO. ___, 2014
AMENDED FROM ORDINANCE NO. 18, 2013
2014 SALARY ORDINANCE

AN ORDINANCE FIXING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE CITY
OF COLUMBUS, INDIANA FOR CALENDAR YEAR 2014.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA:

SECTION I - SALARIED

That, and from after the first day of January, 2014, the following salaried employees of the City of Columbus, Indiana shall receive no more than the amount listed below the column named "MAXIMUM." The "Entry" column is entered as a guideline for suggested beginning salary.

	SALARY ENTRY	SALARY MAXIMUM
ANIMAL CARE SERVICES CENTER		
Animal Care Services General Manager	\$ 35,363	\$ 50,519
Animal Care Services Enforcement Manager	\$ 32,149	\$ 45,927
Animal Care Services Officer (3)	\$ 25,819	\$ 36,884
AVIATION		
Manager	\$ 53,063	\$ 75,804
Assistant Manager	\$ 44,083	\$ 62,975
Office Supervisor	\$ 25,148	\$ 35,925
Maintenance Manager.....	\$ 38,468	\$ 54,954
BOARD OF WORKS		
Citizens Members(4)	\$ 1,817	\$ 2,595
CITY GARAGE DEPARTMENT		
MVH:		
Director City Garage	\$ 45,988	\$ 65,697
MVH Foreman	\$ 30,323	\$ 43,318
Sanitation:		
Sanitation Foreman	\$ 30,323	\$ 43,318
Office Administrator	\$ 25,936	\$ 37,052
Secretary.....	\$ 24,847	\$ 35,495
Traffic:		
Foreman	\$ 30,323	\$ 43,318
CITY HALL/FACILITIES		
Building Supervisor	\$ 35,525	\$ 50,750
CLERK-TREASURER		
Administrative Assistant	\$ 23,994	\$ 34,277
Chief Deputy Clerk Treasurer	\$ 38,925	\$ 55,607
Accts Payable/Receivable	\$ 28,434	\$ 40,620
Payroll and Benefits Manager	\$ 32,792	\$ 46,845
Deputy Clerk Treasurer.....	\$ 29,551	\$ 42,215
COMMUNITY DEVELOPMENT		
Director	\$ 49,505	\$ 70,722
Communications and Program Coordinator	\$ 32,892	\$ 46,989
Secretary	\$ 24,846	\$ 35,494
ENGINEERING		
City Engineer	\$ 56,263	\$ 80,376
Assistant Engineer	\$ 45,759	\$ 65,370
Senior Engineering Technician	\$ 37,804	\$ 54,006
Engineering Technicians (3)	\$ 27,875	\$ 39,822

FIRE DEPARTMENT

Master Mechanic (Civilian).....	\$ 32,052	\$ 45,788
Chief & Director of Emergency Management.....	\$ 56,263	\$ 80,376
Deputy Chief (2).....	\$ 39,306	\$ 56,152
Battalion Chiefs (4)	\$ 38,056	\$ 54,365
Investigator/Inspectors (2)	\$ 36,717	\$ 52,453
Public Information Officer (1)	\$ 36,717	\$ 52,453
Captains (6)	\$ 36,717	\$ 52,453
Training Officer	\$ 36,717	\$ 52,453
Lieutenants (18)	\$ 35,542	\$ 50,774
Firefighters (60)	\$ 31,088	\$ 44,412
Administrative Asst / Fire Systems Operator	\$ 24,850	\$ 35,500
Chief's Secretary / Records Clerk	\$ 24,850	\$ 35,500

HUMAN RESOURCES

Director of Human Resources	\$ 49,505	\$ 70,722
Benefits Coordinator	\$ 26,685	\$ 38,121

HUMAN RIGHTS

Director	\$ 49,505	\$ 70,722
Deputy Director	\$ 32,040	\$ 45,771
Secretary	\$ 24,846	\$ 35,494

INFORMATION SERVICES

Asst Manager of Information Services	\$ 38,516	\$ 55,023
Technician	\$ 30,300	\$ 43,285

LEGAL DEPARTMENT

City Attorney	\$ 56,263	\$ 80,376
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MAYOR'S OFFICE

Executive Secretary	\$ 28,486	\$ 40,694
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METROPOLITAN PLANNING

Manager.....	\$ 43,903	\$ 62,719
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OPERATIONS AND FINANCE

Director of Operations and Finance	\$ 53,709	\$ 76,727
Financial Analyst / Purchasing Manager	\$ 29,988	\$ 42,840
Technical Operations Resource	\$ 28,618	\$ 40,883

PARK AND RECREATION

Director of Parks & Recreation	\$ 58,878	\$ 84,111	\$0	\$0
Director of Business Services	\$ 44,083	\$ 62,975	\$ 67,975	
Administrative Assistant.....	\$ 31,760	\$ 45,371		
Park Maintenance Manager.....	\$ 39,057	\$ 55,795		
Director of Sports Program and Athletic Facilities.....	\$ 44,083	\$ 62,975		
Accounts Payable Specialist.....	\$ 24,846	\$ 35,494		
Sports Coordinator.....	\$ 28,618	\$ 40,883		
Secretary - Park Operations	\$ 24,846	\$ 35,494		
Customer Service Specialist.....	\$ 24,846	\$ 35,494		
Payroll/HR Specialist.....	\$ 24,846	\$ 35,494		
Project & Resource Development Director.....	\$ 39,057	\$ 55,795		
Recreation/CGC Program Manager.....	\$ 36,934	\$ 52,763		
Marketing Coordinator	\$ 28,618	\$ 40,883	\$79,471	\$79,471
Aquatics Director.....	\$ 37,080	\$ 52,971		
The Commons Manager.....	\$ 39,057	\$ 55,795		
The Commons Administrative Asst	\$ 24,846	\$ 35,494		

Receptionist/Lead Secretary CGC/FFY.....	\$ 24,846	\$ 35,494
Hamilton Center Secretary.....	\$ 24,846	\$ 35,494
Hamilton Center Manager.....	\$ 28,547	\$ 40,782
POLICE PARKING METER OFFICE		
Administrative Specialist Supervisor	\$ 24,954	\$ 35,648
Meter Attendants (1)	\$ 22,168	\$ 31,668
PLANNING DEPARTMENT		
Director	\$ 56,245	\$ 80,350
Assistant Director	\$ 46,015	\$ 65,735
Senior Planner(2).....	\$ 36,842	\$ 52,632
Associate Planners (2)	\$ 29,763	\$ 42,518
Office Administrator	\$ 26,331	\$ 37,615
Enforcement Coordinator	\$ 32,155	\$ 45,936
POLICE DEPARTMENT		
Chief	\$ 47,037	\$ 67,195
Deputy Chief (1).....	\$ 42,760	\$ 61,086
Captains (2)	\$ 40,724	\$ 58,177
Public Safety Public Information Officer	\$ 38,785	\$ 55,407
Lieutenants (7)	\$ 38,785	\$ 55,407
Sergeants (13)	\$ 36,938	\$ 52,768
Patrol Officers (55)	\$ 32,120	\$ 45,886
Mechanic	\$ 28,994	\$ 41,420
Secretary - Chief	\$ 26,088	\$ 37,269
Administrative Specialist (4)	\$ 23,994	\$ 34,277
REDEVELOPMENT		
Director of Redevelopment	\$ 49,505	\$ 70,722
TRANSIT		
Coordinator	\$ 30,323	\$ 43,318
Operations Asst	\$ 25,936	\$ 37,052
TECHNOLOGY ADVISORY COMMITTEE		
Community Information Technology Executive....	\$ 50,222	\$ 71,746

SECTION II - HOURLY

That, and from after the First day of January, 2014, the following hourly employees of the City of Columbus, Indiana shall receive no more than the rate listed below the column named "MAXIMUM." The "ENTRY" column is entered as a guideline for a suggested beginning salary.

	ENTRY	MAXIMUM
ANIMAL CARE SERVICES CENTER		
Kennel Assistant	\$ 10.30	\$ 14.72
Part Time Kennel Assistants (2)	\$ 7.25	\$ 10.00
AVIATION		
Maintenance Laborer (2)	\$ 11.75	\$ 16.79
Part Time Laborers (4)	\$ 8.09	\$ 11.55
Maintenance Intern - Seasonal (2)	\$ 7.79	\$ 11.13
Administrative Intern - Seasonal (1)	\$ 7.79	\$ 11.13
CITY GARAGE DEPARTMENT		
MVH:		
Operators (5)	\$ 13.10	\$ 18.71
Drivers (5)	\$ 12.47	\$ 17.82
Drivers/Skilled Trade (6)	\$ 12.82	\$ 18.32

Sanitation:			
Operator (4).....	\$	13.10	\$ 18.71
Drivers (16)	\$	12.47	\$ 17.82
Part Time Driver (5)	\$	10.16	\$ 14.51
Shop and Garage:			
Mechanic	\$	15.19	\$ 21.70
Mechanic's Assistant.....	\$	13.10	\$ 18.71
Driver.....	\$	12.47	\$ 17.82
Traffic:			
Drivers (4)	\$	12.47	\$ 17.82
CITY HALL/FACILITIES			
Building and Grounds Maintenance (2)	\$	11.24	\$ 16.05
Custodian (2).....	\$	10.59	\$ 15.13
COMMUNITY DEVELOPMENT			
Special Events Coordinator	\$	9.63	\$ 13.75
PARK AND RECREATION - Full Time			
Athletic Facilities Assistant Team Leader.....	\$	13.06	\$ 18.66
Assistant Head Custodian FFY.....	\$	13.06	\$ 18.66
Mechanic (1).....	\$	15.62	\$ 22.31
Assistant Mechanic	\$	13.06	\$ 18.66
Maintenance Supervisor	\$	17.06	\$ 24.37
General Operator	\$	13.06	\$ 18.65
Head Custodian	\$	13.98	\$ 19.97
Assistant Team Leader - Grounds (2)	\$	13.06	\$ 18.66
Head Custodian FFY.....	\$	13.98	\$ 19.97
Team Leader - Grounds.....	\$	13.98	\$ 19.97
Athletic Facilities Supervisor	\$	15.60	\$ 22.28
Athletic Facilities Laborer (2)	\$	10.60	\$ 15.14
Team Leader	\$	13.98	\$ 19.97
Laborer - Maintenance and Grounds (6)	\$	10.60	\$ 15.14
Assistant Team Leader	\$	13.06	\$ 18.66
Donner Custodian	\$	10.60	\$ 15.14
Custodian - FFY (4).....	\$	10.60	\$ 15.14
PARK AND RECREATION - Part Time & Seasonal			
Park Patrol (6)	\$	11.02	\$ 15.74
Part Time Maintenance & Grounds Laborer (11)	\$	7.79	\$ 11.13
Office Worker (3)	\$	8.97	\$ 12.81
Landscape Mgmt. Interns (4)	\$	7.79	\$ 11.13
Recreation Staff Member (50)	\$	10.98	\$ 15.69
Donner Night Supervisor (8)	\$	7.53	\$ 10.75
Donner Pool Guards (35)	\$	9.68	\$ 13.83
Donner Center Part Time Custodian	\$	7.79	\$ 11.13
Donner Pool Staff Member (50).....	\$	15.46	\$ 22.08
Custodian - FFY.....	\$	7.79	\$ 11.13
Secretary Park OPS.....	\$	11.94	\$ 17.06
PARK AND RECREATION - NON REVERTING			
The Commons Maintenance Team Leader.....	\$	13.98	\$ 19.97
The Commons Maintenance Asst. Team Leader.	\$	13.06	\$ 18.66
The Commons Maintenance Labor (4).....	\$	10.60	\$ 15.14
Hamilton Center Operations Manager	\$	13.06	\$ 18.65
Hamilton Center Staff Member (PT) (35)	\$	15.92	\$ 22.74
Customer Service Specialist.....	\$	7.25	\$ 9.95
Athletic Facilities Laborer (FT) (2)	\$	10.59	\$ 15.13
Recreation Leaders (25)	\$	10.98	\$ 15.68
Gymnastics Staff Members (20)	\$	13.53	\$ 19.33
Sports Staff Members (50)	\$	14.97	\$ 21.39
Concession/Batting Cage Attendants (PT) (12)....	\$	9.41	\$ 13.44
PLANNING DEPARTMENT			
Office Assistant	\$	9.63	\$ 13.76

TRANSIT

Bus Driver (15)	\$ 12.47	\$ 17.82
Mechanic	\$ 15.19	\$ 21.70
On-Call Driver (9)	\$ 12.47	\$ 17.82
Part-time Administrative (3)	\$ 8.97	\$ 12.81

SECTION III - OTHER PAYMENTS

The Following Maximum Expenditures shall be allowed in compliance with provisions of the City Personnel Policy as currently in force.

ANIMAL CARE SERVICES CENTER

Overtime	\$ 4,668
Faithful Service	\$ 1,200

AVIATION

Overtime	\$ 5,000
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CITY GARAGE DEPARTMENT

MVH:	
Overtime	\$ 82,836
Faithful Service	\$ 7,500
Sanitation:	
Overtime	\$ 79,823
Faithful Service	\$ 1,200
Shop and Garage:	
Overtime	\$ 13,042
Traffic:	
Overtime	\$ 20,994
Faithful Service	\$ 1,200

CITY HALL/FACILITIES

Overtime	\$ 4,152
Faithful Service	\$ 3,000

ENGINEERING

Faithful Service Pay	\$ 2,400
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FIRE DEPARTMENT

Scheduled Overtime	\$ 166,472
Unscheduled Overtime	\$ 145,529
Longevity (Per Policy)	\$ 436,000
Additional Service (Per Policy)	\$ 7,200
Holidays (Per Policy)	\$ 176,095
Uniforms (\$900 Per Person)	\$ 84,894
College Credit (Per Policy)	\$ 63,900
Hazmat Certification Pay	\$ 28,500
EMS Certification Pay	\$ 72,000
Military Service Pay	\$ 12,000

HUMAN RIGHTS

Overtime	\$ 482
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PARK AND RECREATION

Overtime	\$ 30,000
Faithful Service Pay	\$ 6,100

POLICE DEPARTMENT

Faithful Service	\$ 3,600
Overtime	\$ 164,536

Longevity (Per Policy)	\$ 219,568
Detective Incentive Pay (Per policy).....	\$ 20,400
Uniforms (\$900 Per Officer)	\$ 72,900
College Credit & Military Pay (Per Policy)	\$ 186,450
Shift Differential (5% & 10%)	\$ 138,800
Total Per Diem for School Guards	\$ 124,610
(max \$32.47 Per Guard Per Day)	
(max \$33.12 Per Guard Per Day)	
Uniforms (\$500 Per Parking Attendant)	\$ 500
Specialty Pay - Total:	\$ 78,000
\$1,000 per year: K-9, SWAT, Water Rescue, Bomb Technician	
\$500 per year: FTO, Accident Reconstructionist, Polygraph Examiner, Negotiator, CSI, ILEA Instructor, Breath Test Operator, Bike Patrol, Drug Recognition Expert, Translator, D.A.R.E. Instructor, Honor Guard	

TRANSIT DEPARTMENT

Overtime	\$ 37,244
Faithful Service.....	\$ 3,900

PASSED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA on this the ____ day
of _____, 2013, by vote of ____ ayes and ____ nays.

Presiding Officer of the Common Council
of Columbus, Indiana

ATTEST:

Clerk of the Common Council of Columbus, Indiana

Presented by me to the Mayor of Columbus, Indiana, this ____ day of _____, 2013,
at ____ o'clock, __.M.

Clerk-Treasurer of the City of
Columbus, Indiana

Approved and signed by me this ____ day of _____, 2013, at ____ o'clock ____ .M.

Mayor of the City of Columbus, Indiana

Proposed Changes:

Crossing Guards:

- *Budget increased by 2% but daily designation remained flat
(increase daily max from \$32.47 to \$33.12)

Parks:

- *Increase Director of Business Services salary range by \$5,000
- *(Per Council Amendment) Decrease Parks Director to \$0
- *(Per Council Amendment) Increase Marketing Coordinator to \$79,471

ORDINANCE NO. __, 2014

**AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION
OF FUNDS FOR THE BUDGET YEAR 2014**

WHEREAS, the Indiana General Assembly has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and

WHEREAS, it is desire of the Mayor to address the City's need for the purchase of additional salt for treatment of the roads during winter weather conditions; and

WHEREAS, it is necessary to appropriate additional funds from the Motor Vehicle Highway Fund in the amount of \$137,000.00 for the purchase of additional salt for treatment of the roads during winter weather conditions; and

WHEREAS, there are additional funds in the amount of \$137,000.00 available for these purposes and these funds must be appropriated for these purposes before they can be spent.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, that the funds in the amount of One Hundred Thirty-Seven Thousand Dollars (\$137,000.00) shall be paid during the 2014 budget year and the same is hereby appropriated and ordered to be paid from the Motor Vehicle Highway Fund for the City of Columbus, Indiana and for the purpose of purchasing additional salt for treatment of the roads during winter weather conditions.

BE IT FURTHER ORDAINED, that the above additional appropriations shall be effective as of the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED, that the Clerk Treasurer and the Mayor be and are hereby authorized and empowered and directed to take any and all further actions necessary to effect this additional appropriation.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this ____ day of _____, 2014 at _____ o'clock P.M. by a vote of ____ ayes and ____ nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2014 at
_____ o'clock P.M.

Kristen Brown
Mayor, City of Columbus, Indiana

ORDINANCE NO. __, 2014

**AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS
BETWEEN DEPARTMENTS FOR THE BUDGET YEAR 2014**

WHEREAS, the Indiana General Assembly has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and

WHEREAS, it is desire of the Mayor to address certain personnel changes within the City for the calendar year 2014 which requires transfer of funds from certain departments to other departments; and

WHEREAS, it has been shown that certain existing appropriations have balances which will be available for transferring as follows:

CITY OF COLUMBUS GENERAL FUND:

FROM: Police Department, Personal Services, 100
TO: Fire Department, Personal Services, 100
SUM: \$76,413

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, that a transfer of an appropriation from the Police Department Personal Services category to the Fire Department Personal Services category in the amount of \$76,413 for the calendar year 2014 is hereby authorized.

BE IT FURTHER ORDAINED, that the above transfers shall be effective as of January 1, 2014.

BE IT FURTHER ORDAINED, that the Clerk Treasurer and the Mayor be and are hereby authorized and empowered and directed to take any and all further actions necessary to effect this transfer of funds.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this ____ day of _____, 2014 at _____ o'clock P.M. by a vote of ____ ayes and ____ nays.

Presiding Officer

ATTEST:

Luann Welmer

Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2014 at
_____ o'clock P.M.

Kristen Brown
Mayor, City of Columbus, Indiana

ORDINANCE NO.____, 2014

**AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION
OF FUNDS FOR THE BUDGET YEAR 2014**

WHEREAS, the Indiana General Assembly has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and

WHEREAS, it is desire of the City to address the apparatus needs of the Fire Department; and

WHEREAS, it is necessary to appropriate additional funds from the General Fund in the amount of \$1,250,000 for the cost of the purchase of two pieces of fire apparatus; and

WHEREAS, there are additional funds in the amount of \$1,250,000 available for these purposes and these funds must be appropriated for these purposes before they can be spent.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, that the funds in the amount of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) shall be paid during the 2014 budget year and the same is hereby appropriated and ordered to be paid from the General Fund for the City of Columbus, Indiana and for the purposes of purchasing two pieces of fire apparatus.

BE IT FURTHER ORDAINED, that the above additional appropriation shall be effective as of the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED, that the Clerk Treasurer and the Mayor be and are hereby authorized and empowered and directed to take any and all further actions necessary to effect this additional appropriation.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this ____ day of _____, 2014 at _____ o'clock P.M. by a vote of ____ ayes and ____ nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2014 at
_____ o'clock P.M.

Kristen Brown
Mayor, City of Columbus, Indiana

ORDINANCE NO. _____, 2014

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA,
TO ADOPT CHAPTER 9.32 OF THE COLUMBUS CITY CODE, PAWNBROKERS,
JEWELERS, VALUABLE METAL DEALERS AND SECONDHAND DEALERS**

WHEREAS, Indiana Code 36-1-3 et. seq. confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government;

WHEREAS, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit;

WHEREAS, the Columbus Police Department is seeking a method to better serve victims of property crimes;

WHEREAS, property crimes are an issue to be addressed in the City of Columbus (the "City");

WHEREAS, the sale, purchase, and exchange of stolen items fuel the sales and purchases of illicit drugs and other criminal activities in the City;

WHEREAS, it is important that the law enforcement agencies within the City and Bartholomew County and the citizens of the City and Bartholomew County have available, in a timely manner, data regarding items being pawned, sold, purchased, or exchanged in the City; and

WHEREAS, the Columbus Police Department has identified technology that will assist in its efforts to track and locate stolen property.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY
OF COLUMBUS, INDIANA, AS FOLLOWS:**

Section I. Chapter 9, Section 32 of the Columbus City Code, is hereby added to read as follows:

**Chapter 9: PAWNBROKERS, JEWELERS, VALUABLE METAL DEALERS AND
SECONDHAND DEALERS**

Sections:

- | | |
|------|-----------------------------------|
| 9.01 | Definitions. |
| 9.02 | Registration Requirements. |
| 9.03 | Pawnbroker Reporting. |
| 9.04 | Secondhand Dealer Reporting. |
| 9.05 | Jeweler Reporting. |
| 9.06 | Valuable Metal Dealer Reporting. |
| 9.07 | Law Enforcement Responsibilities. |
| 9.08 | Purchase Limitations. |
| 9.09 | Penalty. |

9.01 DEFINITIONS.

For the purposes of this chapter, certain terms and words are defined as follows:

- A. Firearm. Shall have the same meaning and definition as provided in I.C. 35-47-1-5.
- B. Firearm accessory. Shall have the same meaning and definition as provided in I.C. 35-47-1-5.1.
- C. Jeweler. Shall have the same meaning and definition as provided in I.C. 24-4-13-1.
- D. Jewelry. Shall have the same meaning and definition as provided in I.C. 54-4-13-1.
- E. Pawnbroker. Shall have the same meaning and definition as provided in I.C. 28-7-5-2.
- F. Precious metal. Shall have the same meaning and definition as provided in I.C. 23-2-6-15.
- G. Purchase. Is defined as acquiring something for a consideration.
- H. Secondhand dealer. Is defined as a person, firm, or corporation engaged in the buying, selling, trading, or otherwise acquiring secondhand property for business purposes.
Secondhand dealers are not:
 - 1. Private residential sales commonly known as “garage sales,” “yard sales,” or “estate sales” as long as such sales take place at a residentially zoned property;
 - 2. Any sale that is held by a transient vendor and lasts no more than twenty-four (24) hours;
 - 3. Any bona fide charity possessing a valid exemption under Section 501(c)(3) of the Internal Revenue Code;
 - 4. Any sale held by a political organization;
 - 5. Antique stores or malls;
 - 6. Persons, firms, or corporations which only occasionally engage in the purchase of used goods so long as this occasional business does not total more than five thousand dollars (\$5,000.00) worth of purchases in any one calendar year;

7. Persons solely engaged in the business of buying, selling, trading in, or otherwise acquiring or disposing of motor vehicles and used parts of motor vehicles, and shall not apply wreckers or dismantlers of motor vehicles who are licensed;
 8. Auctioneers and auction houses are not considered secondhand dealers. The definition of Auctioneer and auction house shall have the same meaning and definition as provided in I.C. 25-6.1-1-3;
 9. Those individuals, firms, corporations, limited liability companies, or partnerships defined by I.C. 25-37.5-1-1 as valuable metal dealers; and
 10. Individuals making an incidental purchase that may be sold at a later date, but is not a regular or foreseen means of income.
- I. Secondhand property. Shall be defined as used goods. Secondhand property does not include used:
1. Clothes;
 2. Cars;
 3. Books,
 4. Watercrafts;
 5. Farm equipment;
 6. Furniture;
 7. Cd's; or
 8. Lp's.
- J. Sell. Shall have the same meaning and definition as provided in I.C. 16-41-32-11.
- K. Used jewelry. Shall have the same meaning and definition as provided in I.C. 24-4-13-1.
- L. Valuable metal. Shall have the same meaning and definition as provided in I.C. 25-37.5-1-1.
- M. Valuable metal dealer. Shall have the same meaning and definition as provided in I.C. 25-37.5-1-1.

- A. Any person, firm or corporation, who desires to engage in business as a pawnbroker, jeweler, valuable metal dealer, or secondhand dealer, shall register each of their business locations with the Columbus Police Department. No person, firm or corporation shall engage in business as a pawnbroker, jeweler, valuable metal dealer, or secondhand dealer without first registering with the Columbus Police Department.
- B. Any person, firm or corporation who desires to engage in business as a pawnbroker, jeweler, valuable metal dealer, or secondhand dealer shall complete the registration form provided by the Columbus Police Department, which shall specify the street address of the business. If a business has more than one location, a separate registration form shall be completed for each location.
- C. There shall be no fee charged for processing the registration.
- D. Any person, firm or corporation, who has registered as a pawnbroker, jeweler, valuable metal dealer, or secondhand dealer who changes its place of business to another location, or adds one or more business locations, shall register and/or re-register their business in accordance with this Chapter.

9.03 PAWNBROKER REPORTING.

- A. Every pawnbroker shall electronically report all daily transactions pertaining to items of merchandise purchased, pledged, or traded prior to the start of the following business day to a website designated as an agent of the Columbus Police Department. At no time shall the Chief of Police select a provider who charges the pawnbrokers a fee for such reporting service.
- B. If a pawnbroker purchases, pledges, or trades merchandise, the information required to be electronically recorded for each transaction shall include, but not be limited to the following:
 - 1. The date of each sale;
 - 2. The amount of consideration;
 - 3. A description of each article. However, if multiple articles of a similar nature that do not contain an identification or serial number (such as precious metals, gemstones, musical recordings, video recordings, books, or hand tools) are delivered together in one (1) transaction, the description of the articles is adequate if the description contains the quantity of the articles delivered and a physical description of the type of articles delivered, including any other unique identifying marks, numbers, names, letters, or special features;
 - 4. The signature of the seller;

5. The address of the seller;
 6. The date of birth of the seller;
 7. The type of government issued identification used to verify the identity of the seller, together with the name of the governmental agency that issued the identification, and the identification number present on the government issued identification;
- C. All transaction information shall be open at all times during the business hours to the inspection of law enforcement to examine such records.
- D. It is not the intent of this Section to require pawnbrokers to record any additional information or to permit law enforcement a more intrusive on-site inspection than required in I.C. 28-7-5-16.

9.04 SECONDHAND DEALER REPORTING.

- A. Every secondhand dealer shall electronically report all daily transactions involving buying, trading, or otherwise acquiring secondhand property prior to the start of the following business day to a website designated as an agent of the Columbus Police Department. At no time shall the Chief of Police select a provider who charges the reporting secondhand dealers a fee for such reporting service.
- B. If a secondhand dealer buys, trades, or otherwise acquires secondhand property, the information required to be electronically recorded for each transaction shall include, but not be limited to the following:
1. The date of each sale;
 2. The amount of consideration;
 3. A description of each article. However, if multiple articles of a similar nature that do not contain an identification or serial number (such as precious metals, gemstones, musical recordings, video recordings, books, or hand tools) are delivered together in one (1) transaction, the description of the articles is adequate if the description contains the quantity of the articles delivered and a physical description of the type of articles delivered, including any other unique identifying marks, numbers, names, letters, or special features;
 4. The signature of the seller;
 5. The address of the seller;
 6. The date of birth of the seller;

7. The type of government issued identification used to verify the identity of the seller, together with the name of the governmental agency that issued the identification, and the identification number present on the government issued identification;

9.05

JEWELER REPORTING.

- A. Every jeweler shall electronically report all daily transactions involving used jewelry prior to the start of the following business day to a website designated as an agent of the Columbus Police Department. At no time shall the Chief of Police select a provider who charges the reporting jewelers a fee for such reporting service.
- B. If a jeweler purchases used jewelry, the information required to be electronically recorded for each transaction shall include, but not be limited to the following:
 1. The date of each sale;
 2. The amount of consideration;
 3. A description of each article of used jewelry sold. However, if multiple articles of used jewelry of a similar nature are delivered together in one (1) transaction, the description of the articles is adequate if the description contains the quantity of the articles delivered and a physical description of the type of articles delivered, including any unique identifying marks, numbers, names, letters, or special features;
 4. The signature of the seller;
 5. The address of the seller;
 6. The date of birth of the seller;
 7. The type of government issued identification used to verify the identity of the seller, together with the name of the governmental agency that issued the identification, and the identification number present on the government issued identification;
- C. All transaction information shall be open at all times during the business hours to the inspection of law enforcement to examine such records.
- D. It is not the intent of this Section to require jewelers to record any additional information or to permit law enforcement a more intrusive on-site inspection than required by I.C. 24-4-13-3 and I.C. 24-4-13-3.

9.06

VALUABLE METAL DEALER REPORTING.

- A. Every valuable metal dealer shall electronically report all daily transactions involving valuable metal prior to the start of the following business day to a website designated as an agent of the Columbus Police Department. At no time shall the Chief of Police select a provider who charges the reporting valuable metal dealers a fee for such reporting service.
- B. If a valuable metal dealer purchases valuable metal, the information required to be electronically recorded for each transaction shall include, but not be limited to the following:
 - 1. The name and address of the dealer;
 - 2. The date and place of each purchase;
 - 3. The name, address, age, and driver's license number or social security number of the person or persons from whom the valuable metal was purchased;
 - 4. The type of government issued identification used to verify the identity of the seller, together with the name of the governmental agency that issued the identification, and the identification number present on the government issued identification;
 - 5. The motor vehicle license number of the vehicle or conveyance on which the valuable metal was delivered to the dealer;
 - 6. The price paid for the metal;
 - 7. A description and weight of the valuable metal purchased;
 - 8. The source of the valuable metal;
 - 9. The signature of the seller; and
 - 10. A photograph of the person from whom the valuable metal is being purchased, and of the valuable metal.
- C. All transaction information shall be open at all times during the business hours to the inspection of law enforcement to examine such records.
- D. It is not the intent of this Chapter to require valuable metal dealers to record any additional information or to permit law enforcement a more intrusive on-site inspection than required by I.C. 25-37.5-1-2 and I.C. 25-37.5-1-4.
- E. In accordance with I.C. 25-37.5-1-5 the following shall be exempt transactions for the purpose of electronic filing as described in this Section:

1. Purchases from persons, firms, limited liability companies, or corporations regularly engaged in the business of manufacturing valuable metals, the business of selling valuable metals at retail or wholesale, to the purchase of one dealer from another; and
2. The purchase from persons, firms, limited liability companies, or corporations engaged in either the generation, transmission or distribution of electric energy or in telephone, telegraph and other communications if such persons, firms, limited liability companies, or corporations at the time of purchase, provide the dealer with a bill of sale or other written evidence of title to the valuable metal.

9.07 LAW ENFORCEMENT RESPONSIBILITIES.

- A. The Chief of Police or his/her agent(s) may, at his/her discretion, transmit a list of stolen goods electronically to pawnbrokers, jewelers, valuable metal dealers, or secondhand dealers through a website designated as an agent of the Columbus Police Department. At no time shall the Chief of Police select a provider who charges the pawnbrokers, jewelers, valuable metal dealers or secondhand dealers a fee for receiving such information.
- B. The Chief of Police shall designate one website as an agent of the Columbus Police Department.

9.08 PURCHASE LIMITATIONS.

No pawnbroker, jeweler, valuable metal dealer, or secondhand dealer shall make a purchase he or she believes, or should have reason to believe, involves stolen property.

9.09 PENALTY.

Any person, firm or corporation who violates any provision of this Chapter may be fined; the fine imposed for each such violation shall not be less than \$200.00 and not more than \$2,500.00 per violation per day.

9.10 FIREARMS, AMMUNITION AND FIREARM ACCESSORIES EXCLUSION.

The requirements and processes set forth above shall not in anyway apply to firearms, ammunition, and firearm accessories as defined by Indiana law.

Section II. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

Section III. This Ordinance shall be in full force and effect one hundred and eighty (180) days from and after its passage and approval as provided by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA,
on this the ____ day of _____, 2014, by a vote of ____ ayes and ____ nays.

Kristen Brown, Mayor
Presiding Officer of the Common Council

ATTEST:

Clerk of the Common Council of Columbus, Indiana
Luann Welmer

Presented by me to the Mayor of Columbus, Indiana, this ____ day of _____, 2014 at ____
o'clock ____m.

Luann Welmer
Clerk-Treasurer

Approved and signed by me this ____ day of _____, 2014 at ____ o'clock ____m.

Kristen Brown
Mayor of the City of Columbus, Indiana

ORDINANCE NO. _____, 2014

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS,
INDIANA, TO AMEND CHAPTER 2.14 OF THE COLUMBUS CITY CODE,
ANIMAL CARE SERVICES MANAGER

WHEREAS, Indiana Code 36-1-3 *et. seq.* confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government; and

WHEREAS, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

WHEREAS, it is the desire of the Mayor to have the Columbus Municipal Code accurately reflect the current organizational structure of Animal Care Services and address a need for an organizational shift to remove Animal Care Services from the Police Department organization.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, AS FOLLOWS:

Section I. Chapter 2, Article 14 of the Columbus City Code, is hereby amended to read as follows:

Chapter 2.14
ANIMAL CARE SERVICES **MANAGER**

2.14.010 **General Manager.**

The position of Animal Care Services General Manager shall be employed by the City of Columbus, under the supervision of the ~~chief of police~~ Mayor or the Mayor's designee with the advice of the Animal Care Services Commission. The Animal Care Services General Manager shall be authorized to employ staff and any other persons as may be necessary to carry out the purposes of this chapter ~~with the advice and consent of the chief of police.~~

2.14.020 **Duties, jurisdiction and powers.**

The Animal Care Services General Manager and staff shall be sworn to uphold, carry out and supervise the enforcement of this chapter within the city, unless otherwise provided. The Animal Care Services General Manager and staff shall be vested with all the powers ordinary and necessary under the law to enforce the provisions of this chapter. These duties and powers shall specifically include, but not be limited to the following:

- A. To educate the public concerning humane ethics, consequences of pet overpopulation and their responsibilities as pet owners;
- B. To maintain the physical facility known as the Columbus Animal Care Services Center which shall be operated in a humane manner in accordance with the standards set forth in this chapter and established rules and regulations;
- C. To make an annual report to the common council concerning the animal care services program within the city;
- D. To prepare and submit to the common council for approval an annual budget of funds adequate to carry out the purposes of this chapter;
- E. The power to apprehend and impound any animal that appears to be stray or at large;
- F. The power to apprehend and impound any animal that is on the owner's property without being under the owner's personal physical restraint or posing an immediate physical danger to the community. Such impoundment must be preceded by written certification by a citizen witness, or by an officer of Animal Care Services or by the police department. However, no animal shall be apprehended and impounded if the owner is available and is restraining the animal.
- G. The power to apprehend and impound any animal when the Animal Care Services General Manager or staff have probable cause to believe that the animal has been treated cruelly, inhumanely, neglected or used by the owner/agent in a fighting contest;
- H. The power to issue official warning or a notice of ordinance violation for violations of this chapter;
- I. The power to enter private real property in pursuit of an animal to enforce this chapter. In performing their duties, the Animal Care Services General Manager and staff shall be specifically prohibited from the following: entering an inhabited or locked dwelling unit without the dwelling unit owner's permission or without a warrant authorizing the entry except when apprehending and impounding an animal pursuant to subsection G of this section; carrying firearms or making arrests of human beings.

2.14.030 Compensation.

The salaries and wages of the Animal Care Services General Manager and staff shall be fixed by the mayor and approved by the common council.

2.14.040 Penalty for interference with animal care services personnel.

Whoever forcibly assaults, resists, opposes, obstructs, prevents, impedes or interferes with any Animal Care Services personnel while that person is engaged in the execution of any duties required of the Animal Care Services Department under this chapter, shall be subject to a fine of one hundred dollars (\$100.00) for the first offense, with the fines increasing by increments of

one hundred dollars (\$100.00) for each subsequent offense within one year of the first offense, but not more than one thousand dollars (\$1,000.00).

Section II. All prior ordinances or parts thereof inconsistent with any provision of this Ordinance are hereby repealed.

Section III. This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, on this the ____ day of _____, 2014, by a vote of ____ ayes and ____ nays.

Kristen Brown, Mayor
Presiding Officer of the Common Council

ATTEST:

Clerk of the Common Council of Columbus, Indiana
Luann Welmer

Presented by me to the Mayor of Columbus, Indiana, this ____ day of _____, 2014 at ____ o'clock ____ .m.

Luann Welmer
Clerk-Treasurer

Approved and signed by me this ____ day of _____, 2014 at ____ o'clock ____ .m.

Kristen Brown
Mayor of the City of Columbus, Indiana